



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No.: 10/705,760
Filed: November 10, 2003
Applicant(s): Troy W. Livingston
Title: Method and Apparatus for X-Ray
Mammography Imaging
Art Unit: 2882
Examiner:


Attorney Docket No.: 79611 (1273)
Customer No.: 22242

Confirmation No. 4281

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

9/9/04
Date


James J. Hamill
Registration No. 19,958
Attorney for Applicant(s)

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts dated July 6, 2004, enclosed are:

- ☒ A copy of the Notice to File Missing Parts.
- ☒ A Petition for Extension of Time for reply within the 1 month.
- ☒ An executed Declaration for Patent Application, including Power of Attorney.
- ☒ 20 sheet(s) of drawings are enclosed. ☒ Formal ☐ Informal
- ☐ An Assignment of the invention to _____, and Recordation Form Cover Sheet - Patents Only - Form PTO-1595.
- ☐ A check in the amount of \$_____ to cover the fee for recording the assignment.
- ☐ The Recordation Form Cover Sheet includes authorization to charge our Deposit Account for recording the assignment.
- ☒ Fee Calculation:

Application No. 10/705,760
Response dated September 9, 2004
Notice to File Missing Parts dated July 6, 2004

Fee Calculation For Claims As Filed

| | | | |
|-------------------------------------|---|---|-------------|
| <input type="checkbox"/> | Provisional Application Basic Fee | \$ 160.00 | |
| | Surcharge under 37 C.F.R. § 1.16(1) | \$ 50.00 | |
| <input checked="" type="checkbox"/> | Non-Provisional Utility Application Basic Fee | \$ 770.00 | \$ 770.00 |
| | Independent Claims | $\frac{13}{-} \frac{3}{-} = \frac{10}{-}$ x \$ 86.00 | = \$ 860.00 |
| | Total Claims | $\frac{53}{-} \frac{20}{-} = \frac{33}{-}$ x \$ 18.00 | = \$ 594.00 |
| | Fee for Multiply Dependent Claims | \$ 290.00 | |
| | Surcharge under 37 C.F.R. § 1.16(e) | \$ 130.00 | \$ 130.00 |
| <input type="checkbox"/> | Design Application Basic Fee | \$ 340.00 | |
| | Surcharge under 37 C.F.R. § 1.16(e) | \$ 130.00 | |
| | Total Filing and/or Surcharge Fee | \$ 2,354.00 | |


☒ Applicant(s) assert entitlement to Small Entity Status
(37 C.F.R. § 1.27), reducing the Filing/Surcharge Fee by half to: \$ 1,177.00

☐ A check in the amount of \$ _____ to cover the Filing and/or Surcharge Fee.

☒ Charge \$ 1,177.00 to Deposit Account No. 06-1135.

☒ The Director is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§ 1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Director is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in triplicate.

September 9, 2004
Date


James J. Hamill
Registration No. 19,958

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/705,760 | 11/10/2003 | Troy Livingston | 79611 |

22242
 FITCH EVEN TABIN AND FLANNERY
 120 SOUTH LA SALLE STREET
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 CHICAGO, IL 60603-3406

CONFIRMATION NO. 4281

FORMALITIES LETTER



OC000000013147113

Date Mailed: 07/06/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/14/2004 HALI11 00000022 061135 10705760 FILED UNDER 37 CFR 1.53(b)

01 FC:2001 385.00 DA
 02 FC:2051 65.00 DA
 03 FC:2201 430.00 DA
 04 FC:2202 297.00 DA

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figure(s) 10F, 26.
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 3A-3H, 7A, 7B, 25, 26.
 - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English

alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1)). See Figure(s) 7A.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1454** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2354** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1454**
 - **\$860** for **10** independent claims over 3.
 - **\$594** for **33** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

T. TV
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE